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Practitioner's Docket No. 2003-IP-010580U1

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent application

of \_\_\_\_\_  
Inventor(s)

for \_\_\_\_\_  
Title of invention

**OR**

In re application of: Philip D. Nguyen

Application No.: 0 10 / 655,883

Group Art Unit:

Filed: 09/05/03

Examiner:

For: Methods for Forming a Permeable and Stable Mass in a Subterranean Formation

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR  
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))**

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Tammy Knight

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\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office  
Action [8-3]—page 1 of 3)

**NOTE:** 37 C.F.R. 1.98(b):

(1) Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.

(2) Each U.S. patent application publication listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.

(3) Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.

(4) Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.

(5) Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.

**WARNING:** No extension of time can be had under 37 C.F.R. § 1.136 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).

**NOTE:** The "filing date of a national application" under 37 C.F.R. § 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 C.F.R. § 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. § 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the basic national fee; (2) a copy of the international application, unless already sent by the International Bureau, and optionally an English translation if filed in another language; and, also optionally (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. The optional items must be submitted later, with surcharges. 37 C.F.R. § 1.97(b)(2).

### **IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

**NOTE:** "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

**NOTE:** "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39). See also § 609, M.P.E.P., 8th Edition.

**NOTE:** "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**NOTE:** "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**WARNING:** "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.

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**PATENT 2003-IP-010580U1**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Philip D. Nguyen	)	
		)	Art Unit: Unknown
Serial No.:	10/655,883	)	
		)	
Filed:	09/05/2003	)	Examiner: Unknown
		)	
For:	Methods for Forming a	)	
	Permeable and Stable Mass	)	
	In a Subterranean	)	
	Formation	)	

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

COMMISSIONER FOR PATENTS  
Alexandria, VA 22313-1450

SIR:

The following documents are known to Applicants or Applicants' attorneys and are submitted for the Examiner to consider in the above-captioned application.

**U. S. PATENTS**

U.S. Patent Number 2,238,671 issued 04/15/41 to John C. Woodhouse;

U.S. Patent Number 2,703,316 issued 03/01/55 to Bentley J. Palmer;

U.S. Patent Number 3,272,650 issued 09/13/66 to Russell L. MacVittie;

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U.S. Publication Number 2004/0055747 A1 published 03/25/04 by Li-Jien Lee;  
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*Poly(phenyllactide): Synthesis, Characterization, and Hydrolytic Degradation* published 05/17/01 (Revised), *Biomacromolecules* 2001, 2, 2, 658-663, by Tara L. Simmons, et al;  
*Preparation and Characterization of Substituted Polyactides* published 11/16/99, *Macromolecules*, Volume 32, Number 23, 7711-7718, by Mao Yin, et al;

*Synthesis and Properties of Polymers Derived from Substituted Lactic Acids* published 2001 American Chemical Society, Chapter 12, 147-159, by Mao Yin, et al;

*Laboratory and Field Evaluation of a Combined Fluid-Loss-Control Additive and Gel Breaker for Fracturing Fluids, SPE 18211*, published 1990 Society of Petroleum Engineers by Lisa A. Cantu, et al;

*Selectively Placing Many Fractures in Openhole Horizontal Wells Improves Production, SPE 50422*, published 1998 Society of Petroleum Engineers by T. G. Love, et al;

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*Controlled Ring-Opening Polymerization of Lactide and Glycolide* published 2004 American Chemical Society, Chemical Reviews, A-Z, AA-AD, by Odile Dechy-Cabaret, et al;

*Synthetic Polymer Fracturing Fluid for High-Temperature Applications, SPE 80236*, published 2003 Society of Petroleum Engineers by Gary P. Funkhouser, et al;

*Chelating Agents*, Encyclopedia of Chemical Technology, Volume 5, 764-795;

*A New Assay for the Enzymatic Degradation of Polylactic Acid*, Short Report, published ScienceAsia 29 (2003): 297-300 by Virun Vichaibun, et al;

Patent Application Number 10/864,061 filed 06/09/04, *Aqueous Tackifier and Methods of*

*Controlling Particulates* by Matt Blauch, et al;

Patent Application Number 10/864,618 filed 06/09/04, *Aqueous-Based Tackifier Fluids and Methods of Use* by Matt Blauch, et al.

**BROCHURES**

*SurgiFrac<sup>SM</sup> Service, A Quick and Cost-Effective Method to Help Boost Production From Openhole Horizontal Completions, HO3297*, published 2002 Halliburton Communications;

*Cobra Frac<sup>SM</sup> Service, Coiled Tubing Fracturing—Cost-Effective Method for Stimulating Untapped Reserves HO2319R*, published 2000 Halliburton Energy Services, Inc;  
*CobraJet Frac<sup>SM</sup> Service, Cost-effective Technology That Can Help Reduce Cost Per BOE Produced, Shorten Cycle Time and Reduce Capex* published Halliburton Communications.

Copies of the aforementioned non-patent references and Form PTO-1449 are submitted herewith.

Respectfully submitted,



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PTO-1449 <b>Information Disclosure Citation in an Application</b>	Application No. 10/655,883	Applicant(s) Philip D. Nguyen	
	Docket Number 2003-IP-010580U1	Group Art Unit	Filing Date 09/05/2003

### U.S. PATENT DOCUMENTS

		DOCUMENT NO.	ISSUE/ PUB. DATE	NAME	CLASS	SUBCLASS	FILING DATE
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		2,703,316	03-01-55	Palmer	260	78.3	06-05-51
		3,272,650	09-13-66	MacVittie	134	7	02-21-63
		3,784,585	01-08-74	Schmitt <i>et al.</i>	260	861	10-21-71
		3,819,525	06-25-74	Hattenbrun	252	132	08-21-72
		3,828,854	08-13-74	Templeton <i>et al.</i>	166	307	10-30-73
		3,868,998	03-04-75	Lybarger <i>et al.</i>	166	278	05-15-74
		3,912,692	10-14-75	Casey <i>et al.</i>	260	78.3	09-24-74
		3,948,672	04-06-76	Harnsberger	106	90	09-26-74
		3,955,993	05-11-76	Curtice	106	90	09-26-74
		3,960,736	06-01-76	Free <i>et al.</i>	252	8.55R	06-03-74
		4,169,798	10-02-79	DeMartino	252	8.55R	10-25-77
		4,172,066	10-23-79	Zweigle <i>et al.</i>	260	29.6TA	09-26-77
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		4,470,915	09-11-84	Conway	252	8.55R	09-27-82
		4,498,995	02-12-85	Gockel	252	8.5LC	07-01-83
		4,526,695	07-02-85	Erbstoesser <i>et al.</i>	252	8.55R	02-04-83
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		4,715,967	12-29-87	Bellis	252	8.551	12-27-85
		4,716,964	01-05-88	Erbstoesser <i>et al.</i>	166	284	12-10-86
		4,785,884	11-22-88	Armbruster	166	280	01-28-88
		4,797,262	01-10-89	Dewitz	422	142	06-03-87
		4,809,783	03-07-89	Hollenbeck <i>et al.</i>	166	307	01-14-88
		4,843,118	06-27-89	Lai <i>et al.</i>	524	555	06-19-87

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

PTO-1449  <b>Information Disclosure Citation in an Application</b>	Application No. 10/655,883	Applicant(s) Philip D. Nguyen	
	Docket Number 2003-IP-010580U1	Group Art Unit	Filing Date 09/05/2003

**U.S. PATENT DOCUMENTS**

		DOCUMENT NO.	ISSUE/ PUB. DATE	NAME	CLASS	SUBCLASS	FILING DATE
		4,848,467	07-18-89	Cantu <i>et al.</i>	166	281	02-16-88
		4,886,354	12-12-89	Welch <i>et al.</i>	356	70	05-06-88
		4,957,165	09-18-90	Cantu <i>et al.</i>	166	295	06-19-89
		4,961,466	10-09-90	Himes <i>et al.</i>	166	250	01-23-89
		4,986,353	01-22-91	Clark <i>et al.</i>	166	279	09-14-88
		4,986,354	01-22-91	Cantu <i>et al.</i>	166	279	09-14-88
		4,986,355	01-22-91	Casad, <i>et al.</i>	166	295	05-18-89
		5,082,056	01-21-92	Tackett, Jr.	166	295	10-16-90
		5,216,050	06-01-93	Sinclair	524	108	09-06-90
		5,249,628	10-05-93	Surjaatmadja	166	305	09-29-92
		5,295,542	03-22-94	Cole, <i>et al.</i>	166	278	10-05-92
		5,325,923	07-05-94	Surjaatmadja, <i>et al.</i>	166	308	09-30-93
		5,330,005	07-19-94	Card, <i>et al.</i>	166	280	04-05-93
		5,363,916	11-15-94	Himes, <i>et al.</i>	166	276	06-16-93
		5,373,901	12-20-94	Norman, <i>et al.</i>	166	300	07-27-93
		5,386,874	02-07-95	Laramay, <i>et al.</i>	166	300	11-08-93
		5,396,957	03-14-94	Surjaatmadja, <i>et al.</i>	166	308	03-04-94
		5,439,055	08-08-95	Card, <i>et al.</i>	166	280	03-08-94
		5,460,226	10-24-95	Lawton, <i>et al.</i>	166	300	05-18-94
		5,464,060	11-07-95	Hale, <i>et al.</i>	166	293	04-12-94
		5,497,830	03-12-96	Boles, <i>et al.</i>	166	300	04-06-95
		5,499,678	03-19-96	Surjaatmadja, <i>et al.</i>	166	298	08-02-94

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PTO-1449	Application No. 10/655,883	Applicant(s) Philip D. Nguyen	
	Docket Number 2003-IP-010580U1	Group Art Unit	Filing Date 09/05/2003

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		5,505,787	04-09-96	Yamaguchi	134	4	01-28-94
		5,512,071	04-30-96	Yam, <i>et al.</i>	51	307	02-25-94
		5,591,700	01-07-97	Harris, <i>et al.</i>	507	204	12-22-94
		5,604,186	02-18-97	Hunt, <i>et al.</i>	507	204	02-15-95
		5,670,473	09-23-97	Scepanski	510	445	06-06-95
		5,698,322	12-16-97	Tsai, <i>et al.</i>	428	373	12-02-96
		5,765,642	06-16-98	Surjaatmadja	166	297	12-23-96
		5,791,415	08-11-98	Nguyen, <i>et al.</i>	166	280	03-13-97
		5,833,000	11-10-98	Weaver, <i>et al.</i>	166	276	02-18-97
		5,853,048	12-29-98	Weaver, <i>et al.</i>	166	279	04-21-98
		5,893,416	04-13-99	Read	166	304	11-28-97
		5,908,073	06-01-99	Nguyen, <i>et al.</i>	166	276	06-26-97
		5,924,488	07-20-99	Nguyen, <i>et al.</i>	166	280	06-11-97
		5,964,291	10-12-99	Bourne, <i>et al.</i>	166	279	02-28-96
		6,004,400	12-21-99	Bishop, <i>et al.</i>	134	2	07-09-97
		6,024,170	02-15-00	McCabe, <i>et al.</i>	166	300	06-03-98
		6,028,113	02-22-00	Scepanski	514	643	09-27-95
		6,047,772	04-11-00	Weaver, <i>et al.</i>	166	276	11-09-98
		6,123,965	09-26-00	Jacob, <i>et al.</i>	424	489	08-18-98
		6,135,987	10-24-00	Tsai, <i>et al.</i>	604	365	12-22-99
		6,162,766	12-19-00	Muir, <i>et al.</i>	507	267	05-29-98
		6,169,058 B1	01-02-01	Le, <i>et al.</i>	507	222	06-05-97
		6,172,011 B1	01-09-01	Card, <i>et al.</i>	507	204	03-08-96
		6,189,615 B1	02-20-01	Sydansk	166	270	12-15-98
		6,202,751 B1	03-20-01	Chatterji, <i>et al.</i>	166	276	07-28-00
		6,209,643 B1	04-03-01	Nguyen, <i>et al.</i>	166	276	03-06-00
		6,209,646 B1	04-03-01	Reddy, <i>et al.</i>	166	300	04-21-99

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	Docket Number 2003-IP-010580U1	Group Art Unit	Filing Date 09/05/2003

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		6,242,390 B1	06-05-01	Mitchell <i>et al.</i>	507	211	07-31-98
		6,260,622 B1	07-17-01	Blok, <i>et al.</i>	166	305.1	12-23-98
		6,311,773 B1	11-06-01	Todd, <i>et al.</i>	166	280	01-28-00
		6,323,307 B1	11-27-01	Bigg, <i>et al.</i>	528	354	08-16-95
		6,328,105 B1	12-11-01	Betzold	166	280	07-14-00
		6,357,527 B1	03-19-02	Norman, et al.	166	300	05-05-00
		6,364,945 B1	04-02-02	Chatterji, <i>et al.</i>	106	677	12-13-00
		6,387,986 B1	05-14-02	Moradi-Araghi, <i>et al.</i>	523	211	06-24-99
		6,390,195 B1	05-21-02	Nguyen, <i>et al.</i>	166	276	10-27-00
		6,422,314 B1	07-23-02	Todd, <i>et al.</i>	166	312	08-01-00
		6,454,003 B1	09-24-02	Chang, <i>et al.</i>	166	270	06-14-00
		6,485,947 B1	11-26-02	Rajgarhia, <i>et al.</i>	435	139	05-19-00
		6,488,763 B2	12-03-02	Brothers, <i>et al.</i>	106	692	10-05-01
		6,494,263 B2	12-17-02	Todd	166	312	01-09-01
		6,508,305 B1	01-21-03	Brannon, <i>et al.</i>	166	293	09-14-00
		6,527,051 B1	03-04-03	Reddy, <i>et al.</i>	166	300	07-12-02
		6,554,071 B1	04-29-03	Reddy, <i>et al.</i>	166	293	07-12-02
		6,569,814 B1	05-27-03	Brady, <i>et al.</i>	507	201	04-20-00
		6,599,863 B1	07-29-03	Palmer <i>et al.</i>	507	219	08-20-99
		6,667,279 B1	12-23-03	Hessert, <i>et al.</i>	507	225	11-13-97
		6,669,771 B2	12-30-03	Tokiwa, <i>et al.</i>	106	162.7	12-08-00
		6,681,856 B1	01-27-04	Chatterji, <i>et al.</i>	166	294	05-16-03
		6,686,328 B1	02-03-04	Binder	510	446	07-09-99
		6,710,019 B1	03-23-04	Sawdon <i>et al.</i>	507	136	07-16-99

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		DOCUMENT NO.	ISSUE/PUB. DATE	NAME	CLASS	SUBCLASS	FILING DATE
		US 2001/0016562A1	08-23-01	Muir <i>et al.</i>	507	201	11-29-00
		US 2003/0060374A1	03-27-03	Cooke, Jr.	507	200	09-24-02
		US 2003/0114314A1	06-19-03	Ballard <i>et al.</i>	507	100	12-19-01
		US 2003/0130133A1	07-10-03	Vollmer	507	100	12-11-02
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		US 2004/0014607A1	01-22-04	Sinclair <i>et al.</i>	507	200	07-16-02
		US 2004/0040706A1	03-04-04	Hossaini, <i>et al.</i>	166	278	08-28-02
		US 2004/0055747A1	03-25-04	Lee	166	278	09-20-02
		US 2004/0106525A1	06-03-04	Willbert, <i>et al.</i>	507	200	10-17-03
		US 2004/0138068A1	07-15-04	Rimmer, <i>et al.</i>	507	100	12-19-03
		US 2004/0152601A1	08-05-04	Still, <i>et al.</i>	507	100	10-27-03
		US 2004/0152602A1	08-05-04	Boles	507	100	01-15-04

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		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
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		WO 01/87797 A1	11-22-01	PCT	C04B	28/02	X	
		WO 03/027431 A2	04-03-03	PCT	E21B	-	X	
		WO 03/027431 A3	04-03-03	PCT	E21B	43/26	X	
		WO 04/037946 A1	05-06-04	PCT	C09K	7/00	X	
		WO 04/038176 A1	05-06-04	PCT	E21B	43/27	X	
		EP 0 510 762 A2	04-16-92	Europe	C11D	17/00	X	

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**Information Disclosure Citation in an Application**

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